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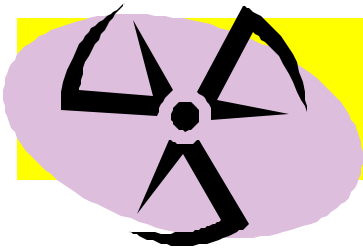
In accordance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. §1981, 2000d et seq.) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), the Age Discrimination Act of 1975, as amended (42 U.S.C. §6101 et seq.), Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. §12131 et seq.), and Title IX of the Education Amendments of 1972, (34 C.F.R. Parts 100, 104, 106 and 110), the Maine Department of Human Services does not discriminate on the basis of sex, race, color, national origin, disability or age in admission or access to or treatment or employment in its programs and activities.

The Nuclear Regulatory Commission is amending its regulations for the licensing, inspection and annual fees it charges applicants and licensees for fiscal year (FY) 2003. The agency is required to collect nearly all of its annual appropriated budget through two types of fees. One is for NRC services, such as licensing and inspection activities, that apply to a specific license. The other is an annual fee paid by all licensees, which recovers generic regulatory expenses and other costs not recovered through fees for specific services.

The proposed FY 2003 annual fees include the following:  
Operating Power Reactors (including

spent fuel storage/ reactor decommissioning annual fee).....\$3,278,000  
High-enriched Uranium Fuel Facility .....\$5,836,600  
Low-enriched Uranium Fuel Facility.....\$1,957,000  
Uranium Recovery (Conventional Mills).....\$64,800  
Radiographers.....\$12,300  
Broad Scope Medical.....\$24,900  
Distribution of Radiopharmaceuticals.....\$4,800  
Gauge Users.....\$2,500  
As an Agreement State Maine has its own fee schedule for the last four categories and does not have fees for the first four. Full article at:  
<http://www.nrc.gov/reading-rm/doc-collections/news/2003/03-040.html>

## NRC To Raise Fees



Department of Human Services  
MAINE RADIATION  
CONTROL PROGRAM

## Radiation Newsletter

Volume 4, Issue 4  
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# ADVISORY COMMISSION ON RADIOACTIVE WASTE & DECOMMISSIONING NEWS

## Texas Senate Passes Amended Bill regarding LLRW Disposal Facility

Texas House of Representatives passed an amended version of H.B. 1567. Proposed legislation that seeks to amend the Health and Safety Code provisions dealing with the siting and operation of a commercial low-level radioactive waste disposal facility for the Texas Low-Level Radioactive Waste Disposal Compact. Twenty seven floor amendments were laid out for the bill, of which nine were eventually adopted. The bill passed out of the House on the third reading on April 23.

On 11 May the Texas Senate passed an amended version of H.B. 1567. Thirteen floor amendments were laid out for the bill, of which four were eventually adopted.

The Texas House and Senate reconciled differences in recently passed versions of H.B. 1567. The Governor has 20 days in which to sign or veto the bill. If he does not sign it by the end of the 20 days, the bill automatically becomes state law.

The legislation would allow for the creation of two privately run waste disposal facilities to be licensed as one site by the Texas Commission on Environmental Quality. One facility would dispose of federal facility waste, as defined under the Low-Level Radioactive Waste Policy Act of 1980 and its 1985 amendments,

subject to certain specified conditions. The other, adjacent facility would dispose of commercial low-level radioactive waste. The legislation maintains, however, provisions in the Health and Safety Code limiting the disposal of waste at the commercial disposal facility to waste that is generated within the Texas Compact, subject to specified conditions. The legislation, nevertheless, defines "compact waste" to include waste that is generated in a host or party state, as well as waste that "is not generated in a host state or a party state but has been approved for importation to this state by the compact commission under Section 3.05 of the compact . . ."

Under the final version of the bill, as approved by both the House and Senate, the federal facility could be licensed to take up to 6 million cubic yards of low-level radioactive waste. The earlier Senate-passed version limited the disposal of Class B and Class C waste at the federal facility to a combined maximum of 5,000 cubic yards. However, under a negotiated settlement with the House, the final version of the bill raised the total to 600,000 cubic yards of Class B and Class C waste allowed at the federal facility.

INSIDE THIS ISSUE:	
Texas LLW	P.1
Goshute Indians	P.2
MYAPC RPV	P.3
NRC Fees	P.4
Special points of interest:	
<ul style="list-style-type: none"><li>• Low Level Radioactive Waste and Materials in Maine</li><li>• Decommissioning of Maine Yankee Atomic Power Plant</li><li>• Radioactive Waste Management</li><li>• High Level Radioactive Waste</li></ul>	
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- Sen. Sharon Treat, Chair
- Rep. Robert Daigle, Vice Chair
- Rep. Peter L. Rines
- Rep. William R. Savage
- Sen. Norman Ferguson Jr
- Sen. Tom Sawyer
- Robert Demkowicz, DEP
- Clough Toppan, PE, DHS
- Dr. Robert Marvinney, State Geologist
- Mike Meisner, Maine Yankee
- Ron Ouelette, Public
- Richard Carey, Public
- Stephen Jarrett, Public
- Jim Mitchell, Public
- W. Donald Hudson, PhD, Chewonki Foundation

All meetings of the Advisory Commission are open to the public. The commission meets 4-6 times a year to discuss and review LLW and decommissioning issues. Meeting dates can be found at our website or call Tom Hillman at 207-287-8401 for the next meeting time or to be placed on the meeting notification list.

NRC LICENSING BOARD ISSUES DECISION ON PRIVATE FUEL STORAGE APPLICATION

Because of the risks military aircraft operations conducted near the Skull Valley site might pose, the Atomic Safety and Licensing Board has blocked for now the issuance of a license. The board is an independent judicial arm of the Nuclear Regulatory Commission. The license would allow a Private Fuel Storage consortium (PFS) to build a spent nuclear fuel storage facility in Utah.

The proposed above ground facility is intended to house temporarily the waste fuel from the nation's nuclear power plants that is eventually destined for a permanent storage facility (currently envisioned at Yucca Mountain in Nevada). The PFS facility would be located on the Reservation of the Skull Valley Band of Goshute Indians, about 50 miles southwest of Salt Lake City.

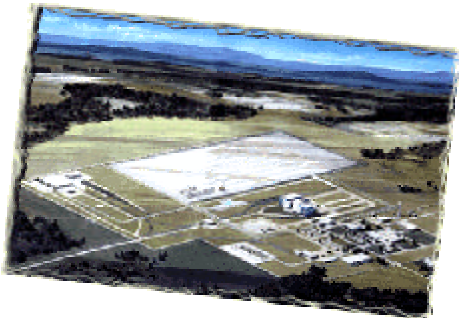
A formal hearing was held in mid-2002 in which the Licensing Board received evidence on a number of issues challenging the PFS proposal, including the likelihood of an F-16 (a single-engine military jet) crashing into the facility. The State of Utah, the proposal's principal opponent, said the site was unsuitable because it would sit under the airway that pilots use to fly thousands of F-16s a year from Hill Air Force Base down Skull Valley to the military's Utah Test and Training Range.

At the hearing, PFS claimed that the chances of an F-16 accidentally crashing into the facility were so minimal that taking precautions against that potential event was unnecessary. PFS relied heavily on a

"pilot avoidance" theory, which predicts that Air Force pilots would almost always, before ejecting during an in-flight emergency, take steps to guide their crashing jets away from the facility. The State's evidence led the Board to reject that theory and to rule that the PFS facility could not be licensed until the safety concern over the F-16 crash scenario is addressed.

The Licensing Board's ruling leaves room for the facility to receive later NRC licensing approval if either: (1) PFS can convince the Air Force to reduce the number, and/or to alter the pattern, of F-16 flights over Skull Valley; or (2) PFS can show that the design of the facility's storage structures is so robust that an F-16 crash would not have appreciable health and safety consequences. PFS will also have the opportunity to convince the five Commissioners who head the NRC to overturn the Licensing Board's ruling on appeal.

A copy of the 220-page decision will be available from the NRC's web site at <http://www.nrc.gov/what-we-do/regulatory/adjudicatory/pfs-decision.pdf>.



Proposed facility drawing from <http://www.skullvalleygoshutes.org/>

MAINE YANKEE'S RPV SHIPS OUT

On an overcast and rainy Tuesday afternoon on May 6 the decommissioning project at Maine Yankee achieved a significant milestone. The Reactor Pressure

Vessel was shipped by barge from the plant bound for disposal at the CNS/Duratek facility in Barnwell, South Carolina. The barge has since arrived at the De-

partment of Energy Savannah River site and will remain in place until off loaded a few days later. From there it will travel overland about 22 miles by heavy haul transporter. Disposal at the CNS/Duratek site is scheduled for the first half of June.

The reactor pressure vessel's shipping container is made of 3-inch-thick steel and its transport cradle weighs about 1,175 tons. Officials say the barge will travel along the Atlantic Seaboard to the Department of Energy Savannah River site, a journey that could take up to two weeks. It will then be transported by land to a low-level radioactive burial site in Barnwell, S.C.

The reactor pressure vessel, which is 35 feet long and 19 feet in diameter, was too large to transport by land or rail. The vessel is regarded by the Nuclear Regulatory Commission as low-level radioactive waste.

The package met the U.S. Department of Transportation radiological shipping requirement of <200 mR/hr on contact and <10 mR/hour at 2 meters. These readings were confirmed by an inspection performed by the Radiation Control Program. Program staff were also on site to take readings along the barge's route of travel from the plant to the ocean. No readings above normal background were recorded.

